



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------------|------------------|
| 09/594,102 | 06/14/2000 | Paul Andrew Moskowitz | YOR9-2000-0273(1963-4981) | 7712 |

7590

02/27/2003

Stephen C Kaufman
International Business Machines Corporation
P O Box 218
Route 134 / 1101 Kitchawan Road
Yorktown Heights, NY 10598

EXAMINER

LE, DANH C

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/594,102

Applicant(s)

MOSKOWITZ ET AL.

Examiner

DANH C LE

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 5, 7-10, 13-18, 22, 24-27, 29-31, 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Maruyama (US 6,430,498).

As to claim 1, Maruyama teaches the method for providing directions (figure 1), comprising:

receiving information identifying a current location of a communication device having short range wireless communication capability (data receiver as an infrared ray sensor, col.9, lines 41-44); and

identifying a direction of movement to be communicated to the communication device to direct it towards destination (col.5, line 1-col.6, line 14).

As to claim 2, Maruyama teaches the method of claim 1, wherein the direction of movement is transmitted to the communication device (col.6, lines 39-65).

As to claim 3, Maruyama teaches the method of claim 1, wherein the transmitting is in accordance with one of a Bluetooth specification and an Infrared Data association specification (col.9, lines 41-44).

As to claim 5, Maruyama teaches the method of claim 1, further comprising:
defining multiple regions within which the direction of movement can be detected
(figure 1 and col.6, lines 39-65).

As to claim 7, Maruyama teaches the method of claim 1, wherein the
communication device is one of a cellular phone, a personal digital assistant, or a
portable computer (col.1, lines 5-13).

As to claim 8, Maruyama teaches the method of claim 1, further comprising:
accessing a map database (col.3, lines 36-55).

As to claim 9, Maruyama teaches the method of claim 1, further comprising:
accessing a pre-plotted direction database (col.8, line 46-col.9, line 4).

As to claim 10, Maruyama teaches the method of claim 1, further comprising:
accessing an alternate direction database (col.8, line 46-col.9, line 4).

As to claim 13, Maruyama teaches the method of claim 12, wherein the receiving
the identification includes receiving a signal from one of a multiple of sensors.

As to claim 14, Maruyama teaches the method of claim 12, wherein the receiving
the identification includes receiving a signal from a network (figure 9, 63).

As to claim 15, Maruyama teaches the method of claim 1, further comprising:
tracking the direction of movement of the communication device
relative to the destination (col.6, lines 39-65).

As to claim 16, Maruyama teaches method of claim 15, further comprising:
recording tracking information representing the movement of the communication
device relative to the destination (col.6, line 39-col.7, line 30).

As to claim 17, Maruyama teaches the method of claim 15, further comprising:
determining whether a movement of the communication device is
towards the destination (col.6, line 39-col.7, line 30).

As to claim 18, Maruyama teaches method of claim 17, wherein, when the
movement is not towards the destination, the method includes providing new directions
(col.8, line 46-col.9, line 4).

As to claim 22, Maruyama teaches the method of claim 1, further comprising:
receiving adaptive route calculation information (col.9, lines 28-51).

As to claim 24, Maruyama teaches the directional method, comprising:
receiving information identifying a direction of movement within the building
relative to the current location (figure 4, col.7, lines 31-64).

As to claim 25, Maruyama teaches the method of claim 24, further comprising:
receiving data identifying a direction of movement Sent from a fixed
communication device (col.9, lines 28-51).

As to claim 26, Maruyama teaches the directional method, comprising:
inputting into a communication device a desired destination within a building from
a current location within a building; and
moving from the current location in the identified direction of movement (col.6,
line 15-col.7, line 63).

As to claim 27, Maruyama teaches the method of claim 26, further comprising:
receiving data identifying a direction of movement sent from a fixed
communication device (col.9, lines 28-51).

As to claim 29, Maruyama teaches an apparatus for providing directions, comprising:

- a memory;
- a program stored in the memory; and
- a processor in communication with the memory, and configured to execute the stored program such that the apparatus:

- receives information identifying a current location of a communication device having short range wireless communication capability; and

- identifies a direction of movement to be communicated to the communication device to direct it towards a destination (figure 10 and col.9, line 28-col.10, line 10).

As to claim 30, Maruyama teaches an apparatus of claim 29, wherein the direction of movement is transmitted to the communication device (col.6, lines 39-65).

As to claim 31, Maruyama teaches the apparatus of claim 29, wherein the device conforms with one of a Bluetooth specification and an Infrared Data Association (IrDA) specification (col.9, lines 41-44).

As to claim 34, Maruyama teaches the apparatus of claim 29, wherein the communication device is one of a cellular phone, a personal digital assistant, or a portable computer (col.1, lines 5-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6, 32, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama in view of Halminent (US 6,477,378).

As to claim 6, 32 and 33, Maruyama teaches the method of claim 1. Maruyama fails to teach defining a piconet using multiple transceivers, the system includes a piconet and the system includes a scatternet. Halminent teaches defining a piconet using multiple transceivers, the system includes a piconet and the system includes a scatternet (col.2, lines 5-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Halminent into the system of Maruyama in order to low power radio frequency communication used for short distance communication.

3. Claims 11, 12, 19-21, 35, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama in view of Mura-Smith (US 6,127,945).

As to claim 11, Maruyama teaches the method of claim 10 which accessing the database. Maruyama fails to teach accessing the alternate route is a result of an obstruction. Mura-Smith teaches accessing the alternate route is a result of an obstruction (col.8, line 45-col.9, line 16). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to provide the teaching of Mura-Smith into the system of Maruyama in order to provide alternative route when there is an obstruction in the directional route.

As to claim 12, Mura-Smith further teaches the method of claim 1, further comprising:

receiving an identification of a location of one of an emergency event and an obstruction (col.8, line 45-col.9, line 16).

As to claim 19-21, the combination of Maruyama and Mura-Smith further teaches method of claim 1, further comprising: receiving information requesting an alternate route, determining an alternate route for the communication device based on a current location and determining an alternate route based upon an intended destination (col.8, line 45-col.10, line 9).

As to claim 35, Maruyama teaches the system of providing directions, comprising:

means for receiving information concerning a directional route provided to a communication device having short range wireless communication capability; and

means for determining a direction of movement for the communication device to direct it towards a destination.

Maruyama fails to teach using the alter direction when the obstruction in the directional route. Mura-Smith teaches using the alter direction when the obstruction in the directional route (col.8, line 45-col.9, line 16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide

the teaching of Mura-Smith into the system of Maruyama in order to provide alternative route when there is an obstruction in the directional route.

As to claim 36, Mura-Smith further teaches the system of claim 35, further comprising:

means for detecting an obstruction in a directional route provided to a communication device having short range wireless communication capability (col.8, line 45-col.9, line 16).

4. Claims 23, 28, 37, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama and Mura-Smith in view of Rose (US 5,712,830).

As to claim 38, the combination of Maruyama and Mura-Smith teaches the system of providing directions, comprising:

means for receiving information concerning an obstruction in a directional route provided to a communication device having short range wireless communication capability (cite above)

The combination fails to teach means for determining whether a people flow problem. Rose teaches means for determining whether a people flow problem (col.1, line 55-col.2, line 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Rose into the system of Maruyama and Mura-Smith in order to provide avoid the obstruction in case of emergency problem.

As to claim 23, 28 and 37, the combination of Maruyama, Mura-Smith and Rose teaches determining the alternate route using the adaptive route calculation information

so as to account for an amount of people flow towards the destination, receiving data identifying a direction of movement during an emergency toward an exit and evacuation directions are provided.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama .

As to claim 4, Maruyama teaches the method of claim 1. Maruyama fails to teach the transmitting uses a short-range high-frequency radio signal. However, transmitting uses a short-range high-frequency radio signal is well known because the short-range high-frequency signal transmission according to the Bluetooth standard, a rapid change in the frequencies and channels used for the signal transmission takes place, which is mutually coordinated between the transmitter and the receiver.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of short-range high-frequency radio signal into the system of Maruyama in order to provide enhanced system performance of the wireless device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

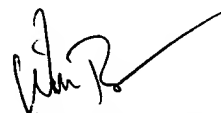
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Art Unit: 2683

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Danh C. Le
February 21, 2003



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600